

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00033-MR-WCM**

THOMAS T. DILLARD, JR.,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
RANDOLPH JANES, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court *sua sponte*.

The Plaintiff, who is proceeding in this action *pro se*, initiated this action against the Defendants by the filing of a Complaint on January 30, 2019. [Doc. 1]. The Plaintiff moved to proceed without the prepayment of any fees. [Doc. 2]. On February 5, 2019, the Court granted the Plaintiff's motion and directed the Plaintiff to prepare summonses for all appropriate parties and submit the summonses to the Clerk's Office within 14 days.¹ The Plaintiff, however, failed to submit any summonses to the Clerk's Office.

¹ Because the Plaintiff was granted leave to proceed in this case *in forma pauperis*, the United States Marshal was tasked with serving process upon the Defendants at the expense of the United States Government in this case. Nevertheless, the responsibility of preparing the summonses for service remained with the Plaintiff.

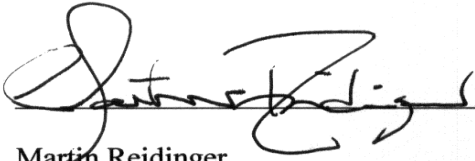
On May 6, 2019, the Court entered an Order directing the Plaintiff to show cause in writing within fourteen (14) days for his failure to prepare summonses to be served on the Defendants. [Doc. 7]. The Plaintiff was specifically warned that failure to respond in writing would result in the dismissal of this action without prejudice.

More than fourteen days have now passed, and the Plaintiff has failed to respond to the Court's Order.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** due to the Plaintiff's failure to prosecute.

IT IS SO ORDERED.

Signed: June 4, 2019


Martin Reidinger
United States District Judge

